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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MICHAEL JOHN FRICCERO and)
GINA PERU FICCERO,)
Plaintiffs,)
v.)
ERIC WILLIAM FRICCERO,)
Defendant.) Case no. 3:14-cv-00112-SLG

ANSWER

Defendant Eric Friccero answers the Complaint in this action as follows:

1. Answering paragraph 1, the allegations are admitted.
2. Answering paragraphs 2, 3, 6, 8, 10, 12, 14, 17, 19, 20, 22 through 24, 26 through 28, and 30, the allegations are denied.
3. Answering paragraph 4, it is admitted that after defense counsel filed a Notice of Appearance, the Superior Court had non-exclusive jurisdiction. Except as admitted, the allegations are denied.
4. Answering paragraph 5, its characterization of the Complaint is admitted. That nay such injuries and/or damages were caused by Defendant is denied.
5. Answering paragraph 7, it is admitted that Eric Friccero continued after May 8, 2008, to work as a crew man aboard a Bristol Bay drift gill net vessel owned by his parents, or by one of them, each summer salmon season, with the exception of 2008 and 2011. Except as admitted, the allegations are denied.
6. Answering paragraph 9, it is admitted that Eric Friccero sold his limited entry permit

in early 2014, and that he did not tell Plaintiffs in advance of his intention to sell it. Except as admitted, the allegations are denied.

7. Answering paragraph 11, it is admitted that Plaintiffs brought an action in the State of Washington. Except as admitted, the allegations are denied.

8. Answering paragraph 13, it is admitted that Eric Friccero is Plaintiffs' adopted son. Except as admitted, the allegations are denied.

9. Answering paragraph 15, it is admitted that plaintiff Michael Friccero gifted Eric Friccero with the permit and that Eric never tendered any agreed consideration for it, in the contractual sense. Except as admitted, the allegations are denied.

10. Answering paragraph 16, Defendant is without sufficient information or knowledge sufficient to form a belief as to what Plaintiffs believed, or would or would not have done, denies the allegations. Defendant expressly denies the allegation of fraud.

11. Answering paragraphs 18, 21, 25 and 29, which refer to other paragraphs in the complaint, defendant incorporates by reference its responses to the referenced paragraphs.

12. All allegations not expressly admitted are denied.

AFFIRMATIVE DEFENSES

1. The complaint fails to state a claim upon which relief can be granted.
2. The terms of transfer of the permit are governed in whole or in part by the Request for Transfer of Entry Permit executed on May 12, 2008, together with Alaska statutory, regulatory and case law.
3. The claims are barred by the applicable statutes of limitation.
4. If the agreement or term(s) Plaintiffs allege exist, none may be enforced because provisions of the Alaska Limited Entry Act, pertinent regulations and case law render all illegal.
5. Plaintiffs' claims are barred by the doctrine of unclean hands.
6. Plaintiffs' claims are barred by the doctrine of estoppel.

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DATED at Anchorage, Alaska, this 9th day of July, 2014.

s/ Mark C. Manning
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I certify that a copy of the foregoing
has been served electronically on
07/09/14 on

Jill C. Wittenbrader, Esq.
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s/ Mark C. Manning